

FUTTERMAN,
COURT SERVICES, INC.
420 H. STREET
NEW YORK, NY 10013

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

MOUJAN VAHDAT

Plaintiff

against

AMERICAN AIRLINES, INC.
TAM, S.A.

Defendant

Plaintiff designates
New York County
as place of trial.
Basis of Venue:

SUMMONS

Index #: 111025/07

Date of Filing:

Plaintiff's Address:

To the above named Defendant(s):

You are hereby summoned to answer the complaint in this action at the Supreme Court of the State of New York, County of New York at the Office of said Court located at 60 Centre Street, New York, N.Y. within the time provided below and to file your answer to the annexed complaint with the Clerk and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the plaintiff's attorneys within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer judgment will be taken against you by default for the relief demanded in the complaint.

DATED: Bronx, New York
JULY 13, 2007

Defendant(s) Address:

60 CENTRE STREET
NEW YORK
COUNTY CLERK'S OFFICE
AUG 13 2007
NOT COMPARED
WITH COPY FILE

DOYLE & BROUMAND, LLP

Michael B. Doyle, Esq.
Attorney for Plaintiff
3152 Albany Crescent
Bronx, New York 10463
(718) 796-2210

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

MOUJAN VAHDAT

Plaintiff

**VERIFIED
COMPLAINT**

Index No.

-against-

AMERICAN AIRLINES, INC.
TAM, S.A.

Defendants

SIR/MESDAMES:

PLEASE TAKE NOTICE that the Plaintiff complains of the defendants upon information and belief as follows:

1. At all times hereinafter mentioned, the plaintiff does business in the City, State and City of New York.
2. American Airlines, Inc. is a New York or foreign corporation duly authorized to do business in the State of New York and over the Internet having as a place of business American Airlines Terminal, John F. Kennedy International Airport, Jamaica, New York.
3. TAM, S.A. is a foreign duly authorized corporation located in Brazil doing business in the State of New York.
4. On June 5, 2007 plaintiff booked a trip on AA.com, an entity wholly owned by American Airlines and used for American's business purposes for people to make reservations in the State of New York, to Sao Paulo, Brazil on June 8, 2007 and returning from Rio de Janeiro on June 15, 2007 and received

located #CZYHAZ.

5. On June 8, 2007 plaintiff obtained confirmation for flights on defendant TAM for Sao Paulo to Asuncion Paraguay on June 9, 2007 and on June 12, 2007 to Rio de Janeiro from Asuncion, obtaining location number BHZYJD.

6. Plaintiff checked in with two (2) bags of luggage at American Airlines Terminal at JFK and checked the bags straight through to Asuncion, Paraguay.

7. On arrival in Paraguay plaintiff could not locate his luggage and was forced to file a lost baggage claim with TAM, American's partner, but American has no agents in Paraguay.

8. After spending about \$736.00 for clothing, as plaintiff had nothing, one bag was located and delivered.

9. Plaintiff returned to New York on June 15, 2007 but without the other bag.

10. TAM called plaintiff on 6/15/07 at 11:22 A.M. to report that the bag was located and that plaintiff was to call and make arrangements for delivery.

11. Plaintiff returned the call only to be told that the bag was "delivered" and someone "signed" for it. This was questioned as no one had signed for it and plaintiff was told, sorry the bag was not signed for, it was left outside on the sidewalk. Plaintiff responded that is not true and was accused by the TAM personnel as being a liar and a thief, which shocked the Plaintiff.

12. On June 16, 2007 TAM sent a representative to Plaintiff's house threatened the Plaintiff's wife and created another commotion.

13. Plaintiff has never received back his property.

AS AND FOR A FIRST CAUSE OF ACTION

14. Plaintiff repeats and realleges paragraphs 1 through 13 as though fully set forth herein.

15. Due solely to the negligence of the defendants in the handling of Plaintiff's property, he was damaged in an amount believed to exceed \$7,000.00 for the lost luggage and goods and for the clothes he was required to buy.

AS AND FOR A SECOND CAUSE OF ACTION

16. Plaintiff repeats and realleges paragraphs 1 through 15 as though fully set forth herein.

17. Due to the outrageous conduct of defendant TAM, its agents, servants and employees, its slander per se and abuse the plaintiff has been damaged in an amount believed to exceed \$75,000.00.

WHEREFORE, plaintiff demands judgment on the first cause of action in an amount believed to exceed \$7,000.00 and on the second cause of action in an amount believed to exceed \$75,000.00 with costs and legal fees.

DATED: BRONX, NEW YORK
JULY 13, 2007

Index No.

Year

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

MOUJAN VAHDAT

Plaintiff

-against-

**AMERICAN AIRLINES, INC.
TAM, S.A.**

Defendants

**SUMMONS AND
VERIFIED COMPLAINT**

Signature (Rule 130-1.1-a)

Print name beneath

**Michael B. Doyle, Esq.
DOYLE & BROUMAND, LLP
Attorneys for Plaintiff
3152 Albany Crescent
Second Floor
Bronx, New York 10463
(718) 796-2210**

2007-09-19
146